

Statement to the Senate: The human rights situation in Saudi Arabia

February 16th, 2017

Dear Chairman Rubio and Ranking member Menendez,

Thank you for your kind invitation. My name is Dr. Hala Aldosari, I'm a visiting scholar at the Arab Gulf States Institute in Washington DC. My research and writing examines gender, health and laws in Saudi Arabia and the Arab Gulf States with a focus on violence against women. I'm an advocate for women and human rights in Saudi Arabia and have participated in a range of activities, including, campaigning, researching, lecturing, writing and public speaking on various platforms. I created an online website as a resource on women's rights and violence against women. My statement today is an attempt to inform the subcommittee on the restrictions of citizens' ability to promote their rights in Saudi Arabia.

Saudi Arabia is an absolute monarchy where political parties, unions, independent civil society organizations are prohibited by law. There is no penal code and judges liberally rely on personal judgment on deciding cases based on the concept of "ta'azir", an Islamic law concept that allows an individual judge to decide on a suitable punishment at his own whim when no clear description of the act or the punishment is specified in Islamic scripture. Activists and concerned citizens struggle to provide a legal basis for their advocacy in the current legal system. It is not uncommon to find irrelevant historical Islamic incidents or quotations, taken out of context, in the statements of the prosecution or the decisions of the judges to justify irrational punishments against critics or activists. In the case of Ala'a Brinji, an imprisoned Saudi journalist, his sentencing document lists some of those historical sayings to justify sentencing him for 7 years in prison followed by a travel ban of equal duration merely for tweets in which

he called for religious freedom, revocation of blasphemy laws, support for other human rights defenders and support for women driving. When the international community raises concern over the irrationality and arbitrary nature of the rulings against activists and critics, the authorities argue that they followed the due process, but fail to mention the false concept of justice employed to justify these rulings, even under Islamic principles.

Saudi Arabia's political system places the King as the ultimate guardian in which unconditional obedience is expected from citizens. The unchecked authority of the King is enforced by law and the appointed religious clerics. In the last few years, several laws and regulations were issued to classify acts of promoting human rights, such as questioning public policies or religious norms, as acts of terrorism or as cybercrimes. In the last few years, I came across numerous statements filed by prosecutors against peaceful critics, activists and writers which described their human rights advocacy as "disobedience to the ruler", "inciting the public against the ruler" or "disrupting the public stability". None of these acts resemble recognizable crimes, yet Saudi authorities have used them to lock up peaceful activists for up to 15 years. All members of the Saudi Civil and Political Rights Association, along with other reputable activists, have been sentenced to lengthy prison terms under such charges, including promoting a constitutional monarchy, religious tolerance and the rule of law. This is particularly concerning because it curtails citizen's ability to comment on public policies affecting every citizen, such as the role of Saudi Arabia in regional conflicts or the recent impacts of the economic reforms. Several writers and economic analysts were banned from travel, repeatedly brought to investigation, suspended from writing or from their jobs, or sentenced to prison terms for expressing concerns over the consequences of political or economic decisions. The result is that

citizens' engagement in the civil and political life of their country has been seriously compromised by fear of government reprisal and repression.

In 2013, In 2013, I submitted a report on the situation of women's rights in Saudi Arabia to the UN Human Rights Council. The report listed recommendations, made by Saudi activists in the past, such as reforming the nationality act, improving the political and economic participation of women, revoking the ban on women driving, implementing measures to protect women against violence and abolishing the male-guardianship system that controls women's lives. However, none of these recommendations were implemented. In addition, I've joined women activists in 2013 in a campaign to revoke the driving ban by sharing videos of ourselves driving inside Saudi Arabia on social media. The campaign brought global attention, but the government responded negatively. Women activists were detained, defamed in local newspapers, had their cars confiscated and two women were imprisoned for 72 days and then placed under travel bans for several months merely for requesting to cross the UAE-Saudi border in their cars. I worked, along other women activists, with Human Rights Watch on updating their 2008 report on the male-guardianship system. This is a system of policies and customary norms in which officials require women to obtain the approval of a male relative, usually a husband or a father, to access education, work, travel, marriage or get a release from prison. The system limits women's autonomy when their guardians refuse to provide the required permission or when guardians abuse their power over women for personal benefits, such as in forced/ early marriages for dowries or in taking the woman's salary to allow her to work. Women who live with abusive guardians are at a particular risk because of the vast authority granted to guardians on many domains in a woman's lives. I have personally written several letters to support Saudi women seeking asylum in other countries to escape their guardians abuse. Last year, I lost track of three

Saudi sisters who fled the country to Malaysia to escape the sexual abuse of their guardian and who were forcibly returned by a private Saudi force to Riyadh, in a case similar to that of young man who fled religious persecution to Malaysia and was forcibly returned to Riyadh. In a recent report by the World Bank, the number of legal restrictions on women in Saudi Arabia is the highest among 170 economies. It is therefore not surprising that women's unemployment in Saudi Arabia is the lowest globally and the recent economic proposals to transform the Saudi economy such as Vision 2030 or the National Transformation Plan have not revoked any of these restrictions or barriers. The household income would be drastically reduced as a result of the enforced austerity measures, and will not likely to be avoided by 2020 without women's full participation in the work force. Last August, I have written a petition to the king which was signed by 15000 Saudi men and women to request abolishing the guardianship system from the state's regulations, and an activist in Riyadh delivered it to the King. Saudi women have created a daily hashtag on twitter to end the male guardianship system listing personal narratives and refuting the religious basis for it based on the writings of reputable Islamic figures. The hashtag reached its 225th day today without a response from the state. Instead, a young woman who supported the campaign was arrested for months and was likely forced to publish a public apology from participation in the local newspaper upon her release. Local newspapers also reported the sentencing of a Saudi man to one year in prison and a penalty of \$8000 for promoting the campaign by placing posters on local mosques.

In supporting the civil society in Saudi Arabia, I found that several approaches were successful. First, we have seen that the interventions of top officials from EU countries with the King as successful in reducing some of the punishments of activists. In addition, media coverage and analysis of Saudi issues raised awareness among the Saudi public on key issues which were

largely uncovered in the local media. Most importunately, I find the vocal and material support of the international community for the prisoners of conscience is key because of the crucial role they play in advancing local discourse on political and economic reforms, accountability, gender equality and religious tolerance. I would also like to hint that contrary to the common notion that public statements may alienate US allies, I find that the keen and active interest of Saudi Arabia leaders in securing economic and defense alliances can be ideal opportunities to promote human rights reforms. I thank you for the opportunity to include my perspectives as part of the ongoing discourse on promoting human rights.